

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING )  
PHARMACY, INC. PRODUCTS LIABILITY )  
LITIGATION )  
\_\_\_\_\_ )

MDL No. 2419  
Dkt. No 1:13-md-2419 (FDS)

THIS DOCUMENT RELATES TO: )

All Actions )  
)

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**JOINDER IN SAINT THOMAS ENTITIES'  
MOTION TO RECONSIDER MDL ORDER NO. 7**

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Come Specialty Surgery Center, Crossville, PLLC, and Kenneth Lister, M.D. (collectively “these healthcare providers”) and file this Joinder in Saint Thomas Entities’<sup>1</sup> Motion to Reconsider MDL Order No. 7 [Dkt. 457].

Counsel for these healthcare providers also represents the entities that filed the previously granted Joinder in Saint Thomas Entities Motion to Reconsider [Dkt. 459]. At the time of filing of the previous joinder, these healthcare providers had not yet been made party to the MDL, making joinder in the motion for reconsideration inappropriate. Since that time, these healthcare providers have been made parties to the MDL in multiple suits by CTO-19 and CTO-20. There are currently more than 20 suits pending against these healthcare providers with more expected to be filed.

These healthcare providers adopt and incorporate as if stated fully herein the Motion to Reconsider MDL Order No. 7 filed by the Saint Thomas Entities [Dkt. 457], and specifically request that the Court reconsider the portion of the Order that requires

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<sup>1</sup> St. Thomas Hospital, Saint Thomas Network, and Saint Thomas Health.

Unaffiliated Defendants to file responsive pleadings in every individual suit prior to the filing of Master and Short Form Complaints.

Additionally, these healthcare providers respectfully request that the Court grant this motion for joinder and order that the relief granted at the October 8, 2013, status conference also apply to the filing of responsive pleadings in suits against these healthcare providers.

Respectfully submitted,

**GIDEON, COOPER & ESSARY, PLC**

/s/ Chris J. Tardio

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and paper copies will be served via electronic mail or regular U.S. mail to those participants identified as unregistered this 8th day of October, 2013.

/s/ Chris J. Tardio

**Chris J. Tardio**